

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MILO D. BURROUGHS,

Plaintiff,

v.

MARY E. PETERS, Secretary of Department
of Transportation,

Defendant.

CASE NO. C07-954RSM

ORDER ON PLAINTIFF'S REQUEST
FOR CLARIFICATION

This matter comes before the Court on plaintiff's Request for Clarification. (Dkt. #23). Plaintiff, appearing pro se, seeks clarification on whether this Court granted summary judgment in favor of defendant or St. Martin's University ("St. Martin's"). Plaintiff argues that because St. Martin's supported defendant's motion for summary judgment through declarations, St. Martin's became a party to this action. (Dkt. #23 at p. 1). Plaintiff also indicates that "[r]etaliatio[n] is [St. Martin's] only reason for involving themselves in this matter." *Id.* However, a university does not become a party simply by filing declarations in support of a summary judgment motion. Consequently, at no time in this litigation did St. Martin's become a party pursuant to Fed. R. Civ. P. 20. Therefore the Court hereby ORDERS:

(1) Plaintiff's Request for Clarification is GRANTED. The Court dismissed plaintiff's claims with respect to the defendant plaintiff named in his complaint. St. Martin's is not a party

ORDER
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1 to this action and therefore it would be a legal impossibility for this Court to grant summary
2 judgment in favor of St. Martin's. This case remains CLOSED.

3 (2) The Clerk is directed to forward a copy of this Order to the pro se plaintiff and all
4 counsel of record.

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6 DATED this 12th day of October, 2007.

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8 RICARDO S. MARTINEZ
9 UNITED STATES DISTRICT JUDGE
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